

ZONING CHANGE REVIEW SHEET

CASE: C14-2016-0130 – 11410 Manchaca Rd **Z.A.P. DATE:** February 7, 2017
March 7, 2017

ADDRESS: 11410 Manchaca Road

DISTRICT: 5

OWNER/APPLICANT: Manchaca Partners, Inc. **AGENT:** Lenworth Consulting LLC
(Sufian Emmar) (Nash Gonzales)

ZONING FROM: GR-CO **TO:** CS-1 **AREA:** 0.0712 acres
(3,102 square feet)

SUMMARY STAFF RECOMMENDATION:

The Staff recommendation is to grant commercial – liquor sales (CS-1-CO) combining district zoning. The Conditional Overlay would maintain the provisions for restaurant (general) use, and the list of prohibited and conditional uses from the 2010 zoning ordinance as shown in Exhibit B.

ZONING AND PLATTING COMMISSION RECOMMENDATION:

February 7, 2017: *APPROVED A POSTPONEMENT REQUEST BY STAFF TO MARCH 7, 2017*

[G. ROJAS; B. EVANS – 2ND] (9-0) B. GREENBERG; J. KIOLBASSA – ABSENT

March 7, 2017:

ISSUES:

Correspondence from adjacent residents is attached at the back of the Staff report.

DEPARTMENT COMMENTS:

The subject tract is undeveloped, zoned community commercial – conditional overlay (GR-CO), is situated near the corner of Manchaca Road and Marcus Abrams Boulevard. The Conditional Overlay is for a 2,000 vehicle trip limit, has requirements for service station, personal improvement services, general retail sales uses and restaurant (general) uses, prohibits certain intensive GR uses and establishes certain uses as conditional. The tract is adjacent to a 20-foot wide landscaping area that forms the entrance to the Olympic Heights subdivision to the west. In this configuration, the tract does not have driveway access to Marcus Abrams Boulevard. There is a similarly situated, undeveloped tract across Marcus Abrams Boulevard to the north (GR-CO zoning) and the Olympic Heights single family residential subdivision and a pond is adjacent to the west (I-SF-4A). Commercial and retail

uses front Manchaca Road. To the east, there are two townhome developments at the Manchaca Road / Melibee Trail intersection (SF-6-CO). Please refer to Exhibits A (Zoning Map) and A-1 (Aerial View).

The Applicant proposes commercial – liquor sales (CS-1-CO) district zoning in order to occupy a vacant, single-story 3,102 square foot lease space with a liquor store. The Applicant is amenable to maintaining applicable portions the Conditional Overlay from the 2010 case which include provisions for a restaurant (general) use in the LR district (limits the amount of indoor floor area, hours of operation, the amount and location of an outdoor seating area, and prohibits outdoor entertainment as an accessory use and outdoor amplified sound), and the list of prohibited and conditional uses. As information, there is an existing church approximately 600 feet to the south and a liquor store approximately 800 feet to the south on Manchaca Road. Both are located in unincorporated Travis County. City Code and the Texas Alcoholic Beverage Code prohibit liquor sales use within 300 feet of a church, public school, public hospital, day care or child care facility.

Staff recommends the Applicant's request based on the property's sole access to an arterial roadway which contains a mix of commercial uses, the required separation distance to civic uses established by City and State codes are met, and the applicable sections of the Conditional Overlay are maintained.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	GR-CO	Vacant lease space in a commercial center
<i>North</i>	GR-CO; I-SF-4A; GR-CO; LR-MU- CO; LO-MU	Service station; Food sales; Alternative financial services; 20-foot wide landscaped area on both sides of Marcus Abrams Boulevard (subdivision entrance to Olympic Heights); Undeveloped; Multifamily residential (95 units under construction)
<i>South</i>	I-SF-2; County	<i>City:</i> Vacant automobile sales; <i>County:</i> Commercial uses; Religious assembly
<i>East</i>	SF-6-CO; I-SF-2	Two townhome developments; Single family residences in the Canterbury Trails subdivision
<i>West</i>	I-RR; I-SF-4A	Water quality/detention pond and Single family residences within the Olympic Heights subdivision

AREA STUDY: N/A

TIA: Is not required

WATERSHED: Slaughter Creek –
Suburban

DESIRED DEVELOPMENT ZONE: Yes

CAPITOL VIEW CORRIDOR: No

HILL COUNTRY ROADWAY: No

SCHOOLS:

Baranoff Elementary School Bailey Middle School Akins High School

NEIGHBORHOOD ORGANIZATIONS:

217 – Tanglewood Forest Neighborhood Association
 627 – Onion Creek Homeowners Assoc. 742 – Austin Independent School District
 943 – Save Our Springs Alliance
 1214 – Bauerle Ranch Homeowner's Association
 1228 – Sierra Club, Austin Regional Group 1340 – Austin Heritage Tree Foundation
 1359 – Hillcrest Homeowner's Association 1363 – SEL Texas
 1398 – Commander, Watch 1528 – Bike Austin
 1530 – Friends of Austin Neighborhoods 1559 – Palomino Park HOA

CASE HISTORIES:

NUMBER	REQUEST	COMMISSION	CITY COUNCIL
C14-2017-0009 – 11444 Manchaca Rd	I-SF-2 to CS	Pending	Pending
C14-06-0101 – Ravenscroft - 11401-11499 Blk Manchaca Rd	I-RR to SF-6	To Grant SF-6-CO w/ CO limited to 26 units and 300 trips per day, with a RC for the Neighborhood Traffic Analysis	Approved SF-6-CO with CO limited to 18 units, 5.388 u.p.a. and 300 trips per day, with a RC for the Neighborhood Traffic Analysis (9-28-2006).
C14-06-0102 – Ravenscroft – 11301-11351 Block of Manchaca Road	I-RR to SF-6	To Grant SF-6-CO w/ CO limited to 70 units and 698 trips per day, with a RC for the Neighborhood Traffic Analysis	Approved SF-6-CO with CO limited to 78 units, 9.72 u.p.a. and 698 trips per day, with a RC for the Neighborhood Traffic Analysis (9-28-2006).
C14-05-0009 – Brazos Zoning – 11410 Manchaca Road	I-RR to GR	To Grant GR-CO w/CO allowing business support services, general retail sales (general), personal improvement services and restaurant (general) and all LR uses, prohibit drive-in services as an accessory use to a	Approved GR-CO with the CO for: 1) limits the development to the following GR uses: restaurant (general); business support services; retail sales (general); and personal improvement services, and all LR uses; 2) prohibits

		commercial use, and 2,000 trips per day.	drive-in service as an accessory use to a commercial use; 3) 2,000 trips per day; 4) requires the application of compatibility standards. The Restrictive Covenant limits the personal improvement services use to health and fitness clubs (7-28-2005).
C14-02-0066 – 14.44 Joint Venture – Manchaca Road at Ravenscroft Drive	RR to GR	To Grant LR-CO for Tract 1; LO-CO for Tract 2	Approved LR-CO for Tract 1; LO-CO for Tract 2. CO is for the conditions of the TIA and prohibits drive-in services as accessory to commercial on Tract 1 (4-10-2003).
C14-02-0065 – 14.44 Joint Venture – Manchaca Road at Ravenscroft Drive	RR to GR	To Grant GR-CO with conditions and restricted to LR development regulations	Approved LR-CO for Tract 1; LO-CO for Tract 2. CO is for the conditions of the TIA and prohibits drive-in services as accessory to commercial on Tract 1 (4-10-2003).

RELATED CASES:

The property was annexed into the City limits on December 26, 2001 and assigned I-RR district zoning. The proposed rezoning area was covered by a zoning case that was approved for GR-CO zoning in November 2010 (C14-2010-0038 – Rezoning 1.56 acres at 11410 Manchaca Rd.). The Conditional Overlay allows for all LR uses and indoor entertainment; requires that a service station use be located a minimum of 50 feet from the west property line; establishes that a land use which includes a drive-in services use requires a conditional use permit site plan; and limits the number of daily vehicle trips to 2,000. Please refer to Exhibit B.

The rezoning area is a portion of the OFLP3 Subdivision, recorded in January 2011 (C8-2010-0024.0A – OFLP3 Subdivision). The rezoning area is also part of an administrative site plan for a service station with retail sales and food sales approved on June 25, 2014 (SP-2013-0211C - Manchaca Bread Basket). Please refer to Exhibits B-1 and B-2.

ABUTTING STREETS:

Name	ROW	Pavement	Classification	Sidewalks	Bike Route	Capital Metro (within ¼ mile)
Manchaca Road	130 feet	50 feet	Major Arterial Undivided 2 Lanes	Yes	Yes	No
Marcus Abrams Boulevard	74 feet	45 feet	Collector 2 Lanes	Yes	No	No

FYI, according to the Austin 2014 Bicycle Plan approved by Austin City Council in November, 2014, a wide shoulder bicycle lane is recommended for Manchaca Road.

CITY COUNCIL DATE: March 3, 2017

ACTION:

April 6, 2017

ORDINANCE READINGS: 1st

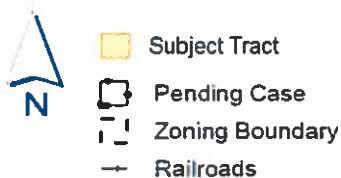
2nd

3rd

ORDINANCE NUMBER:

CASE MANAGER: Wendy Rhoades
e-mail: wendy.rhoades@austintexas.gov

PHONE: 512-974-7719



100 200 Feet

1" = 200'

ZONING

ZONING CASE#: C14-2016-0130

Exhibit A







This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

This product has been produced by CTM for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.

Created 02/01/17



1" = 50'

-  SUBJECT TRACT
-  PENDING CASE
-  ZONING BOUNDARY
-  CREEK BUFFER

ZONING

ZONING CASE#: C14-2016-0130
LOCATION: 11410 MANCHACA
SUBJECT AREA: .0712 ACRES
GRID: D12
MANAGER: WENDY RHOADES

Exhibit A

This map has been produced by the Communications Technology Management Dept. on behalf of the Planning Development Review Dept. for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.

ORDINANCE NO. 20101104-040

AN ORDINANCE ESTABLISHING INITIAL PERMANENT ZONING FOR THE PROPERTY LOCATED AT 11410 MANCHACA ROAD AND CHANGING THE ZONING MAP FROM INTERIM-RURAL RESIDENCE (I-RR) DISTRICT TO COMMUNITY COMMERCIAL-CONDITIONAL OVERLAY (GR-CO) COMBINING DISTRICT.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

PART 1. The zoning map established by Section 25-2-191 of the City Code is amended to change the base district from interim-rural residence (I-RR) district to community commercial-conditional overlay (GR-CO) combining district on the property described in Zoning Case No. C14-2010-0038, on file at the Planning and Development Review Department, as follows:

A 1.56 acre tract of land, more or less, out of the Walker Wilson League Survey No. 2, in Travis County, the tract of land being more particularly described by metes and bounds in Exhibit "A" incorporated into this ordinance (the "Property"),

locally known as 11410 Manchaca Road, in the City of Austin, Travis County, Texas, and generally identified in the map attached as Exhibit "B".

PART 2. The Property within the boundaries of the conditional overlay combining district established by this ordinance is subject to the following conditions:

- A. A site plan or building permit for the Property may not be approved, released, or issued, if the completed development or uses of the Property, considered cumulatively with all existing or previously authorized development and uses, generate traffic that exceeds 2,000 trips per day.
- B. A service station use shall be located a minimum 50 feet from the west property line.
- C. A personal improvement services use may not exceed 5,000 square feet of gross floor area.
- D. A general retail sales (general) use may not exceed 5,000 square feet.

E. A restaurant (general) use is subject to Section 25-2-587(D) (*Requirements for Certain Use in a Neighborhood Commercial (LR) District*) of the Code.

F. The following uses are prohibited uses of the Property:

Automotive rentals	Automotive repair services
Automotive sales	Automotive washing (of any type)
Bail bond services	Business or trade school
Business support services	Commercial off-street parking
Communications services	Drop-off recycling collection facility
Exterminating services	Food preparation
Funeral services	Hospital services (general)
Hotel-motel	Indoor entertainment
Indoor sports & recreation	Outdoor entertainment
Outdoor sports & recreation	Pawn shop services
Research services	

G. The following uses are conditional uses of the Property:

1) Community recreation (private)	Community recreation (public)
Congregate living	Custom manufacturing
Group home, class II	Hospital services (limited)
Plant nursery	Residential treatment
Medical offices (exceeding 5000 sq.ft. of gross floor area)	

2) Drive-in services use as an accessory use to a commercial use.

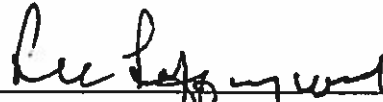
Except as otherwise specifically restricted under this ordinance, the Property may be developed and used in accordance with the regulations established for the community commercial (GR) base district, and other applicable requirements of the City Code.

PART 3. This ordinance takes effect on November 15, 2010.

PASSED AND APPROVED

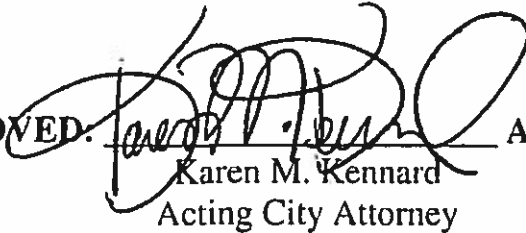
_____, November 4, 2010

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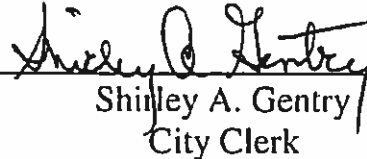
Lee Leffingwell
Mayor

APPROVED:



Karen M. Kennard
Acting City Attorney

ATTEST:



Shirley A. Gentry
City Clerk

ZONING EXHIBIT P₃

- SUBJECT TRACT
- ZONING BOUNDARY
- PENDING CASE

ZONING CASE#: C14-2010-0038
 ADDRESS: 11410 MANCHACA RD
 SUBJECT AREA: 1.56 ACRES
 GRID: D12 & E12
 MANAGER: WENDY RHOADES



This map has been produced by the Communications Technology Management Dept. on behalf of the Planning Development Review Dept. for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.

201100011

OFLP3 SUBDIVISION

THIS SUBDIVISION IS LOCATED WITHIN THE FULL PURPOSE JURISDICTION OF THE CITY OF AUSTIN ON THIS 20th DAY OF DECEMBER 2010, A.D.

APPROVED, ACCEPTED AND AUTHORIZED FOR RECORD BY THE DIRECTOR, PLANNING AND DEVELOPMENT DEPARTMENT, CITY OF AUSTIN, COUNTY OF TRAVIS, THIS 20th DAY OF DECEMBER 2010, A.D.

CRISTO GUTIERREZ, DIRECTOR

PLANNING AND DEVELOPMENT REVIEW DEPARTMENT

STATE OF TEXAS II
COUNTY OF TRAVIS II
I, DANA DEBBEY, CLERK OF TRAVIS COUNTY, TEXAS, DO HEREBY CERTIFY THAT THE FOREGOING INSTRUMENT OF WRITING WITH ITS CERTIFICATE OF AUTHENTICATION, WAS FILED FOR RECORD IN MY OFFICE ON THE 11th DAY OF JANUARY, 2011, A.D. AT 11:44 O'CLOCK P.M. DAILY RECORDED ON THE 11th DAY OF JANUARY, 2011, A.D. AT 11:44 O'CLOCK P.M. OF SAID COUNTY AND STATE IN DOCUMENT NUMBER 201100011. OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY.

WITNESS MY HAND AND SEAL OF OFFICE OF THE COUNTY CLERK, THIS 11th DAY OF JANUARY, 2011, A.D.

DANA DEBBEY, CLERK OF TRAVIS COUNTY, TEXAS
DEPUTY

NOTE: NO PORTION OF THIS TRACT IS WITHIN THE BOUNDARIES OF THE 100-YEAR FLOOD PLAIN AS SHOWN ON THE FEDERAL EMERGENCY MANAGEMENT AGENCY MAP COMMUNITY PANEL HQ 4845300583 H, DATED SEPTEMBER 26, 2002, TRAVIS COUNTY, TEXAS

STATE OF TEXAS II
COUNTY OF TRAVIS II

I, JEFFREY B. SHICKLER, P.E., DO HEREBY CERTIFY THAT THIS PLAT COMPLES WITH THE SUBDIVISION REGULATIONS OF THE CITY OF AUSTIN, TEXAS.

JAMES E. GARNON & ASSOCIATES, INC.
BASTROP, TEXAS 77607
DATE: DECEMBER 2, 2010



STATE OF TEXAS II
COUNTY OF TRAVIS II

I, JAMES E. GARNON, AM AUTHORIZED UNDER THE LAWS OF THE STATE OF TEXAS TO PRACTICE THE PROFESSION OF SURVEYING AND HEREBY CERTIFY THAT THIS PLAT COMPLES WITH THE CITY OF AUSTIN LAND DEVELOPMENT CODE CHAPTER 25, 1999, AND THE ENVIRONMENTAL CRITERIA MANUAL, AN ACTUAL SURVEY OF THE PROPERTY BASED UNDER MY SUPERVISION ON THE GROUND.

AS SURVEYED BY
JAMES E. GARNON & ASSOCIATES, INC.
BASTROP, TEXAS 77607



DATE: DECEMBER 2, 2010

NOTES:
1. BY APPROVING THIS PLAT, THE CITY OF AUSTIN ASSUMES NO OBLIGATION TO CONSTRUCT ANY INFRASTRUCTURE IN CONNECTION WITH THIS SUBDIVISION. ANY INFRASTRUCTURE CONSTRUCTION SHALL BE THE RESPONSIBILITY OF THE DEVELOPER AND/OR THE OWNER OF THE LOT. FAILURE TO CONSTRUCT ANY REQUIRED INFRASTRUCTURE TO THE CITY STANDARDS MAY BE JUST CAUSE FOR THE CITY TO DENY APPLICATIONS FOR CERTAIN DEVELOPMENT PERMITS, SITE PLAN APPROVALS, AND/OR CERTIFICATES OF OCCUPANCY.

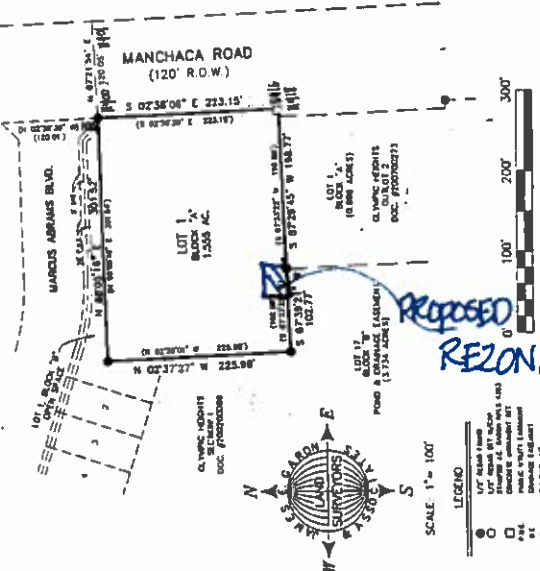
2. BUILDING SETBACK LINES SHALL BE IN CONFORMANCE WITH THE CITY OF AUSTIN ZONING ORDINANCE REQUIREMENTS.

3. EROSION/SEDIMENTATION CONTROLS ARE REQUIRED FOR ALL CONSTRUCTION ON EACH LOT, PURSUANT TO LDC SECTION 25-8-101, AND THE ENVIRONMENTAL CRITERIA MANUAL.

4. WATER QUALITY CONTROL ARE REQUIRED FOR ALL DEVELOPMENT WITH SUPERVISORY COVER IN EXCESS OF 20% OF THE NET SITE AREA OF EACH LOT PURSUANT TO LDC SECTION 25-8-211.

5. NO BUILDINGS, FENCES, LANDSCAPING OR OTHER OBSTRUCTIONS ARE PERMITTED IN DRAINAGE EASEMENTS EXCEPT AS APPROVED BY THE CITY OF AUSTIN OR TRAVIS COUNTY.

6. DEVELOPMENT OF THIS SUBDIVISION IS RESTRICTED TO USES OTHER THAN RESIDENTIAL.



LEGEND
LOT 1: 1.555 AC
LOT 2: 1.734 AC
LOT 3: 1.734 AC

STATE OF TEXAS II
COUNTY OF TRAVIS II

KNOW ALL MEN BY THESE PRESENTS: THAT IHG HOLDINGS, L.C., ACTING BY AND THROUGH ITS MANAGER, GUY OLIVER, OWNER OF A 1.555 ACRE TRACT OF LAND AS CONVEYED TO US BY DEED RECORDED IN DOC. NO. 2009080289 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS, DO HEREBY SUBDIVIDE AND THE PLAT SHOWN HEREON TO BE KNOWN AS:

OFLP3 SUBDIVISION

SUBJECT TO THE EASEMENTS OR RESTRICTIONS HERETOFORE GRANTED, AND NOT RELEASED, AND DO HEREBY CONFIRM TO THE PUBLIC THE USE OF THE STRAIGHT LINE EASEMENTS AS SHOWN HEREON.

WITNESS OUR HAND, THIS 20th DAY OF DECEMBER, 2010, A.D.

GUY OLIVER, MANAGER
IHG HOLDINGS, L.C.
P.O. BOX 1010
AUSTIN, TEXAS 78768-6110

STATE OF TEXAS II
COUNTY OF TRAVIS II
BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED GUY OLIVER, KNOWN TO ME TO BE THE PERSONAL REPRESENTATIVE OF IHG HOLDINGS, L.C., AND HE REQUESTED THAT I RECORD THIS INSTRUMENT IN THE PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS, AND THAT HE CALCULATED THE SAME FOR THE PURPOSES AND CONSIDERATIONS THEREIN EXPRESSED.

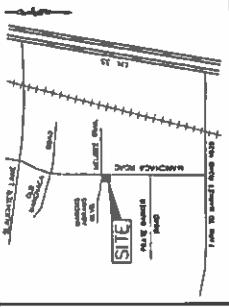
GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS 20th DAY OF DECEMBER, 2010, A.D.

NOTARY PUBLIC IN AND FOR THE STATE OF TEXAS
MY COMMISSION EXPIRES September 3, 2012



Sheet 1 of 1

Exhibit B-1
RECORDED
PLAT



LOCATION MAP
Not to Scale

NOTES CONTINUED:

7. WATERWASH STATUS - THIS PROJECT IS LOCATED IN THE SHAWNEE CREEK WATERSHED AND IS NOT IN THE EDWARDS AQUIFER RECHARGE ZONE.

8. THE AUSTIN ENERGY HAS THE RIGHT TO PRUNE AND/OR REMOVE TREES, SHRUBBERY, AND OTHER OBSTRUCTIONS TO THE PROPOSED UTILITY RIGHT-OF-WAY AND TO CONDUCT ALL TREE WORK IN COMPLIANCE WITH CHAPTER 25-8, SUBCHAPTER B OF THE CITY OF AUSTIN LAND DEVELOPMENT CODE.

9. THE OWNER/DEVELOPER OF THIS SUBDIVISION/LOT SHALL PROVIDE THE AUSTIN ENERGY WITH A WRITTEN NOTICE OF THE LOCATION OF THE PROPOSED UTILITY RIGHT-OF-WAY AND UNDERGROUND ELECTRIC FACILITIES. THESE EASEMENTS AND/OR ACCESS ARE REQUIRED TO PROVIDE ELECTRIC SERVICE TO THE BUILDING AND WILL NOT BE LOCATED SO AS TO CAUSE THE SITE TO BE OUT OF COMPLIANCE WITH CHAPTER 25-8, SUBCHAPTER B OF THE CITY OF AUSTIN LAND DEVELOPMENT CODE.

10. ANY ELECTRIC UTILITY ACTIVITY INSIDE THE SUBDIVISION SHALL BE INCLUDED UNDER THE DEVELOPMENT PERMIT.

11. THE OWNER SHALL BE RESPONSIBLE FOR INSTALLATION OF TEMPORARY EROSION CONTROL, VEGETATION AND REVEGETATION AND PROTECTION OF EXISTING UTILITIES. THE OWNER SHALL BE RESPONSIBLE FOR THE REMOVAL OF THE PROPOSED UTILITY RIGHT-OF-WAY WITHIN TEN FEET OF THE CENTER LINE OF THE PROPOSED UTILITY RIGHT-OF-WAY. THE OWNER SHALL PROVIDE ELECTRIC SERVICE TO THIS PROJECT. THE OWNER SHALL INCLUDE AUSTIN ENERGY'S WORK WITHIN THE LIMITS OF CONSTRUCTION FOR THIS PROJECT.

12. NO LOT SHALL BE OCCUPIED UNTIL THE STRUCTURE IS CONNECTED TO THE CITY OF AUSTIN WATER AND WASTEWATER UTILITY SYSTEM.

13. THE WATER AND WASTEWATER UTILITY SYSTEM SERVING THIS SUBDIVISION MUST BE IN ACCORDANCE WITH THE CITY OF AUSTIN UTILITY DESIGN CRITERIA. THE WATER AND WASTEWATER UTILITY PLAN MUST BE REVIEWED AND APPROVED BY THE CITY OF AUSTIN. THE LANDOWNER MUST PAY THE CITY INSPECTION FEE WITH THE UTILITY CONSTRUCTION.

14. THE OWNERS OF THIS SUBDIVISION AND HIS OR HER SUCCESSORS AND ASSIGNS, RESPONSIBILITIES FOR PLANS FOR CONSTRUCTION OF SUBDIVISION IMPROVEMENTS WHICH COMPLY WITH APPLICABLE CODES AND REQUIREMENTS OF THE CITY OF AUSTIN. THE OWNER UNDERSTANDS AND ACKNOWLEDGES THAT PLACING A VACUUM ON EXISTING UTILITY LINES TO CONSTRUCT THIS SUBDIVISION DO NOT COMPLY WITH SUCH CODES AND REQUIREMENTS.

15. ANY FUTURE RESUBDIVISION OF THIS PROPERTY SHALL BE LIMITED, BASED ON, TO A DEDICATED ROADWAY, AS APPROVED BY THE CITY OF AUSTIN AND OR TRAVIS COUNTY.

16. SIDEWALKS CONSTRUCTED TO THE CITY OF AUSTIN STANDARDS ARE REQUIRED ALONG MANCHUCA ROAD AS SHOWN BY THE DOTTED LINE ON PLAT.

17. PUBLIC SIDEWALKS, BUILT TO CITY OF AUSTIN STANDARDS, ARE REQUIRED ALONG THE FOLLOWING STREETS AND AS SHOWN BY THE DOTTED LINE ON PLAT. PRIOR TO THE LOT BEING OCCUPIED, FAILURE TO CONSTRUCT THE REQUIRED SIDEWALKS MAY RESULT IN THE WITHDRAWING OF CERTIFICATES OF OCCUPANCY, BUILDING PERMITS, OR UTILITY CONNECTIONS BY THE COVERING BODY OR UTILITY COMPANY, LDC 25-8-351.

18. ALL DRAINAGE EASEMENTS ON PRIVATE PROPERTY SHALL BE MAINTAINED BY THE PROPERTY OWNERS OR ASSIGNS.

19. PROPERTY OWNER SHALL PROVIDE FOR ACCESS TO DRAINAGE EASEMENTS AS MAY BE NECESSARY AND SHALL NOT PROHIBIT ACCESS BY GOVERNMENTAL AUTHORITIES.

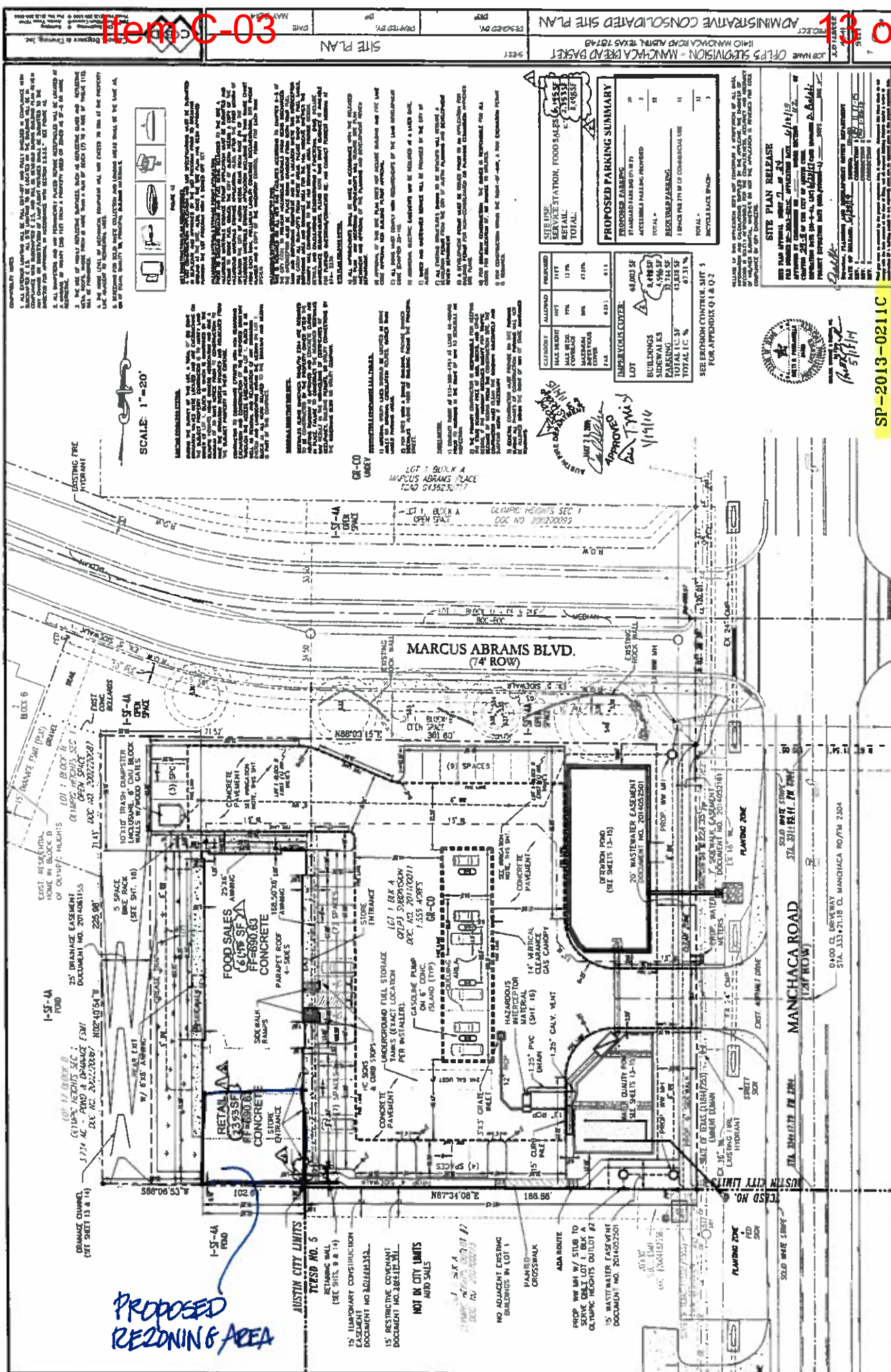
20. PRIOR TO CONSTRUCTION, EXCEPT DETACHED SINGLE FAMILY ON ANY LOT IN THE SUBDIVISION, A SITE DEVELOPMENT PERMIT MUST BE OBTAINED FROM THE CITY OF AUSTIN.

21. PRIOR TO CONSTRUCTION ON LOTS IN THIS SUBDIVISION, DRAINAGE PLANS WILL BE LIMITED TO USING CITY OF AUSTIN STANDARDS. DRAINAGE PLANS WILL BE REQUIRED TO OBTAIN A CITY OF AUSTIN DEVELOPMENT PERMIT. PRIOR TO CONSTRUCTION, DRAINAGE PLANS WILL BE REQUIRED TO OBTAIN A CITY OF AUSTIN DEVELOPMENT PERMIT. PRIOR TO CONSTRUCTION, DRAINAGE PLANS WILL BE REQUIRED TO OBTAIN A CITY OF AUSTIN DEVELOPMENT PERMIT.

JAMES E. GARNON & ASSOC.
PROFESSIONAL LAND SURVEYORS
924 Main Street
Bastrop, Texas 77602
(512) 303-4185
FAX: 512-303-4185

DECEMBER 1, 2010
CB-2010-0024-0A
F: Survey\City\Travis\Survey\Bastrop\Bastrop.dwg
P: No. 354/27

1573



PROPOSED
REZONING AREA

EXHIBIT B-2
Approved
SITE PLAN

SUMMARY STAFF RECOMMENDATION:

The Staff recommendation is to grant commercial – liquor sales (CS-1-CO) combining district zoning. The Conditional Overlay would maintain the provisions for restaurant (general) use, and the list of prohibited and conditional uses from the 2010 zoning ordinance as shown in Exhibit B.

BASIS FOR LAND USE RECOMMENDATION (ZONING PRINCIPLES)

1. The proposed zoning should be consistent with the purpose statement of the district sought.

The commercial – liquor sales (CS-1) zoning district is intended for commercial and industrial activities of a service nature which typically have operating characteristics or traffic service requirements generally incompatible with residential environments, and specifically includes liquor sales as a permitted use.

2. The proposed zoning should allow for a reasonable use of the property.

Staff recommends the Applicant's request based on the property's sole access to an arterial roadway which contains a mix of commercial uses, the required separation distance to civic uses established by City and State codes are met, and the applicable sections of the Conditional Overlay are maintained.

EXISTING CONDITIONS**Site Characteristics**

The subject lot is developed and there are no significant topographical constraints on the site.

Impervious Cover

The maximum impervious cover allowed by the *CS-1 zoning district* would be 80%. The watershed impervious cover is more restrictive than the zoning district's allowable impervious cover, the impervious cover is limited by the watershed regulations.

Under current watershed regulations, development or redevelopment on this site will be subject to the following impervious cover limits:

<i>Development Classification</i>	<i>% of Gross Site Area</i>	<i>% of Gross Site Area with Transfers</i>
Single-Family (minimum lot size 5750 sq. ft.)	50%	60%
Other Single-Family or Duplex	55%	60%
Multifamily	60%	70%
Commercial	80%	90%

Comprehensive Planning

This zoning case is located on the southeast corner of Marcus Abrams Blvd. and Manchaca Rd. on a 0.71 acre parcel, which contains a gas station and several retail bays, and is not located within the boundaries of a neighborhood planning area. The property is surrounded by undeveloped land to the north, outdoor truck tractor trailer storage to the south, and single family housing to the east and west. The proposed use is liquor sales.

Connectivity

There is a public sidewalk along the street frontage abutting this property but does not extend along the entire length or on both sides of this heavily traveled corridor. There are no public transit stops within walking distance to this site. The Walkscore for this site is 41/100, meaning most errands require a car. The AARP Livability Index Score is 52/100 (50/100 is the average national score). The Livability Index measures housing, neighborhood, transportation, environment, health, engagement, and opportunity characteristics.

Imagine Austin

The comparative scale of the site relative to a variety of commercial and residential land uses located along Manchaca Road, as well as the site not being located along an Activity Corridor or within an Activity Center falls below the scope of Imagine Austin, which is broad in scope, and consequently the plan is neutral on the proposed rezoning.

Drainage

The developer is required to submit a pre and post development drainage analysis at the subdivision and site plan stage of the development process. The City's Land Development Code and Drainage Criteria Manual require that the Applicant demonstrate through engineering analysis that the proposed development will have no identifiable adverse impact on surrounding properties.

Environmental

The site is not located over the Edwards Aquifer Recharge Zone. The site is in the Slaughter Creek Watershed of the Colorado River Basin, which is classified as a Suburban Watershed by Chapter 25-8 of the City's Land Development Code. The site is in the Desired Development Zone.

According to floodplain maps there is no floodplain within or adjacent to the project location.

Standard landscaping and tree protection will be required in accordance with LDC 25-2 and 25-8 for all development and/or redevelopment.

No trees are located on this property. At this time, site specific information is unavailable regarding other vegetation, areas of steep slope, or other environmental features such as bluffs, springs, canyon rimrock, caves, sinkholes, and wetlands.

Under current watershed regulations, development or redevelopment requires water quality control with increased capture volume and control of the 2 year storm on site.

Site Plan

Site plans will be required for any new development other than single-family or duplex residential.

Any development which occurs in an SF-6 or less restrictive zoning district which is located 540-feet or less from property in an SF-5 or more restrictive zoning district will be subject to compatibility development regulations.

Any new development is subject to Subchapter E. Design Standards and Mixed Use. Additional comments will be made when the site plan is submitted.

Please be aware that State Law governs the location of the sale of alcohol; it may not be sold within 300 feet of a church, public or private school or public hospital. Please refer to Subchapter C Local Regulation of Alcoholic Beverages.

Water / Wastewater

FYI: The landowner intends to serve the site with City of Austin water and wastewater utilities. The landowner, at own his expense, will be responsible for providing any water and wastewater utility improvements, offsite main extensions, water or wastewater easements, utility relocations and/or abandonments required by the proposed land uses. It is recommended that Service Extension Requests be submitted to the Austin Water Utility at the early stages of project planning. Water and wastewater utility plans must be reviewed and approved by the Austin Water Utility in compliance with Texas Commission of Environmental rules and regulations, the City's Utility Criteria Manual and suitability for operation and maintenance. All water and wastewater construction must be inspected by the City of Austin. The landowner must pay the City inspection fees with the utility construction. The landowner must pay the tap and impact fee once the landowner makes an application for a City of Austin water and wastewater utility tap permit.

Rhoades, Wendy

From: Rhoni McClennahan ~~rhoni.mcclennahan@gmail.com~~
Sent: Tuesday, February 07, 2017 8:55 PM
To: Rhoades, Wendy
Subject: C14-2016-0130
Attachments: MANCHACA ZONING OPPOSITION.pdf

February 7, 2017
Ms. Wendy Rhoades
& Members of the Planning and Zoning Department
P.O. Box 1088
Austin, Texas 78767-8810
wendy.rhoades@austintexas.gov

Reference: Case Number C14-2016-0130

To the Committee and Ms. Rhoades:

I am writing this letter to express my strong opposition to the rezoning change referenced above to a CO or CS-1 district that would allow the implementation of businesses categorized as "generally incompatible with a residential area" along Manchaca Road between Slaughter Lane and FM 1626.

Residents have complained about the noise and traffic from Moontower and from Giddyup's, both located along this stretch of the road, and the traffic generated from these establishments are often nuisances to residents. There are also now 3 convenience stores selling alcohol and a liquor store located near these establishments. Frankly, it is enough. The community absolutely does NOT need one more liquor establishment to add to the obvious issues concerning safety and noise for homeowners in the area.

In addition, Manchaca Elementary is located at the end of street, and children and families of Baranoff Elementary are also frequent travelers of this stretch of road in South Austin. Various neighborhoods, including Canterbury Trails, Morningside, Olympic Heights, Hillcrest, and Ravenscroft flank both sides of Manchaca Road. Another CS-1 business and/or related establishment would be COMPLETELY INCOMPATIBLE with our residential neighborhoods and would seriously change the dynamic, altering the safety and comfort of the families and children who live along Manchaca Road.

Finally, it is documented by law enforcement, city officials, and emergency personnel that this part of growing South Austin includes Austin's MOST dangerous intersections, and this part of Manchaca Road is an area that residents are finding increasingly dangerous. For example, a man in his 20's recently lost his life in a three-car collision. A woman in her 50's also died in a nine-car crash near the same location. A firefighter on a bicycle was hit by a vehicle near the Moontower, again giving rise to a city-wide discussion about the dangerous traffic on Manchaca Road South. Manchaca Road is dangerous enough without the addition of an increase in commercial traffic.

To approve the request for a CS-1 business such as a liquor store or related business, or even one more similar establishment along Manchaca Road South would be a COMPLETELY IRRESPONSIBLE decision for the Zoning and Planning Committee to make. To allow our NEIGHBORHOOD to become a CS-1 or CO district is simply unacceptable to the families of this growing area in Travis County.

At a time in our city's history, when business is booming and the city is growing, I urge members of this committee to make the families and children of South Austin your priority, to REFUSE to

compromise the safety of our South Austin residents, and to DENY the CS-1 and CO zoning request near Manchaca Road South as referenced above.

Thank you for all you do to make Austin, Texas, a great place to live!

Sincerely,

Rhonda Edmondson, Owner

11113 Bright Leaf Terrace
Austin, TX 78748
February 10, 2017

Ms. Wendy Rhoades
Members of the Planning and Zoning Department
P. O. Box 1088
Austin, TX 78767-8810

In Re: Case Number C14-2016-0130

Rezoning change to a CO or CS-1 would allow implementation of businesses categorized as “generally incompatible with a residential area” along Manchaca Road between Slaughter Lane and FM 1626. Opposition to such zoning change is as follows:

1 – Increased noise and traffic created from Moontower and Giddyup’s along this road raises issues of safety and liveability of residents.

2 – Existing convenience stores selling alcohol plus a liquor store are more than sufficient for this type of business.

3 – Menchaca Elementary and Branoff Elementary, plus neighborhoods of Canerbury Trails, Morningside, Olympic Heights, Hillcrest, and Ravenscroft are located on this road. Another CS-1 business or related establishment would be incompatible with the residential neighborhoods and alter the safety and comfort of the families and children who live along this route.

4 – Several accidents resulting in death have occurred in this area and local law enforcement, city officials and emergency personnel concur this area is one of Austin’s most dangerous intersections.

To allow our neighborhood to become a CS-1 or CO district is unacceptable to the families of this growing area. Please make the families and children of South Austin your priority and DENY the CS-1 and CO zoning for this area.

Thank you for allowing me to express serious concerns involving safety and peaceful development of this area.

Sincerely,



Mrs. Sandra Goodwin

Peter H. & Suzann C. Hames
7175 Kingston Cove Ln
Willis, TX 77318

February 11, 2017

City of Austin
Planning & Zoning Department

Re: Case Number: **C14-2016-0130**

We object

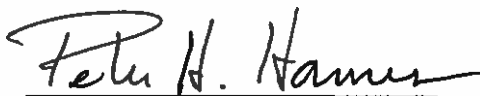
We are owners of a Townhouse at 11228 Lost Maples Trail, Austin, TX 78748

We object to the proposed zoning change from GR-CO to CS-1 – Commercial – Liquor Sales District for the following reasons.

1. The Ravenscroft Townhome Community is directly across busy Manchaca Road. We are concerned that a liquor store or other liquor sales facility will bring additional traffic to our area reducing the desirability of our community and ultimately our property values.
2. There is a liquor store in the HEB strip center at the intersection of Manchaca Road and West Slaughter Lane only 1.5 miles north of our community. We see little need for another liquor sales facility in this area.
3. We are concerned that a liquor sales facility will attract an undesirable element increasing the likelihood of crime in our area.
4. We have children in our community and an elementary school is only a short distance south on Manchaca Road.
5. The intersection of West Slaughter Lane and Manchaca Road is the most dangerous intersection in the City of Austin, Increasing the traffic on Manchaca Road will only exacerbate this situation.

Thank you for your attention to this matter. We hope that this proposed zoning change will be denied.

Very truly yours,



Peter H. Hames

Daytime Telephone Number: 409-781-5059

Rhoades, Wendy

From: mrs.mcclennahan <mrs.mcclennahan@gmail.com>
Sent: Monday, February 27, 2017 7:21 PM
To: Rhoades, Wendy
Subject: Re: Opposition to Business on Manchaca Road

Great. Since the writing of my letter, we have had one 3 car pile-up accident, and a 2 car accident at Ravenscroft and Manchaca, and what appeared to be a head on collision at Manchaca and Old Manchaca the next light up. Additionally, we have a 96 unit apartment building being constructed at Ravenscroft and Manchaca, yet on the map it is marked "undeveloped." Neighbors and all who travel this road are seriously concerned that safety is not being considered, and we do not believe further commercial development is prudent or in the best interest of South Austin's citizens. I am pleading with the commission to cease approvals until the situation is remedied. We desperately need your attention to our area.

Sincerely,
Rhoni McClennahan

Sent from my iPhone

On Feb 27, 2017, at 5:55 PM, Rhoades, Wendy <Wendy.Rhoades@austintexas.gov> wrote:

Hi Ms. McClennahan,
Thanks for sending the letter from the Hames. I received the same letter by postal mail and have included it with the backup materials that will be forwarded to the Zoning and Platting Commission.

Wendy Rhoades

From: Rhoni McClennahan <rhoni.mcclennahan@gmail.com>
Sent: Monday, February 27, 2017 5:48 PM
To: Rhoades, Wendy
Subject: Opposition to Business on Manchaca Road

Hi, Ms. Rhoades,

Please place the attached letter with others in opposition to the proposed businesses on Manchaca. This letter is from a neighbor who asked me to email it to you.

Thank you,
Rhoni McClennahan

Rhoades, Wendy

From: Melanie Brenneman <melanie.brenneman@cityofaustin.com>
Sent: Monday, February 27, 2017 4:08 PM
To: Rhoades, Wendy
Subject: Opposition to case number C14-2016-0130

Hello Wendy,

I'm writing to oppose the planned re-zoning in the case of C14-2016-0130 from community commercial to commercial liquor sales.

First, I would like to keep the neighbor zoned for residents and family friendly businesses. The strip of Manchaca between Slaughter and 1626 already has three bars, 1 pool hall and several restaurants selling liquor. There are schools nearby. Plus, many residences. Another concern - people from neighborhoods near the bars will walk there (very responsible) but it necessitates them walking / running across five lanes of very busy traffic. It's a dangerous situation.

Second, the intersection at Ravenscroft and Manchaca (and close by at Mellibee and Manchaca) has numerous accidents every week, if not every day. (See <https://twitter.com/search?q=manchaca%20ravenscroft&src=typd>). Serious improvements need to be made to traffic control and roads before introducing more businesses - let alone a business that focuses on liquor sales.

Thank you for your time and consideration.

Best,
Melanie Brenneman
11140 Bright Leaf Terrace
Austin TX 78748
512-520-9124